

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 DONALD WRIGHT,) CASE NO. C09-0161-JCC-MAT
9 Petitioner,)
10 v.) ORDER DENYING REQUEST FOR
11 MAGGIE MILLER-STOUT,) APPOINTMENT OF COUNSEL
12 Respondent.)

Having considered petitioner's motion for appointment of counsel (Dkt. 9), the Court
hereby ORDERS:

16 (1) Petitioner’s motion for appointment of counsel is DENIED. There is no right
17 to have counsel appointed in cases brought under 28 U.S.C. § 2254 unless an evidentiary
18 hearing is required. *See Terravona v. Kincheloe*, 852 F.2d 424, 429 (9th Cir. 1988); *Brown v.*
19 *Vasquez*, 952 F.2d 1164, 1168 (9th Cir. 1992); and Rule 8(c) of the Rules Governing Section
20 2254 Cases in the United States District Courts. The Court may exercise its discretion to
21 appoint counsel for a financially eligible individual where the “interests of justice so require.”
22 18 U.S.C. § 3006A. Here, petitioner fails to demonstrate that the interests of justice are best

**ORDER DENYING REQUEST FOR
APPOINTMENT OF COUNSEL**

01 served by appointment of counsel at the present time.

02 (2) The Clerk is directed to send a copy of this Order to the parties and to the
03 Honorable John C. Coughenour.

04 DATED this 9th day of April, 2009.

05 s/ Mary Alice Theiler
06 United States Magistrate Judge